

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

**Caption in Compliance with N.J.N. JBR 9004-2(c)**

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In re:

ORBIT ENERGY & POWER, LLC,  
  
Debtor.

Chapter 7

Case No. 22-19628-ABA

**ZURICH AMERICAN INSURANCE  
COMPANY'S RESPONSE TO  
MOTION FOR ENTRY OF ORDER  
EXPUNGING PROOF OF CLAIM  
NO. 74-2**

Zurich American Insurance Company (collectively, "Zurich") responds (the "Response") to the Motion of the Chapter 7 Trustee to Expunge Proof of Claim No. 74-2 filed by Zurich (the "Motion"). In support of this Response, and in an abundance of caution, Zurich states as follows:

1. On December 7, 2023, Zurich filed Proof of Claim No. 74-2, which served to amend Proof of Claim 74-1 which was originally filed on February 13, 2023.
2. On July 1, 2024, the Trustee filed the Motion.
3. On July 24, 2024, Zurich filed Proof of Claim No. 74-3, which serves to amend Proof of Claim No. 74-2, the subject of the Motion.
4. Upon information and belief, the filing of Proof of Claim No. 74-3 moots the Motion.
5. Zurich has reached out to counsel to the Chapter 7 Trustee to confirm the Motion is moot; however, as of the filing of this Response, Zurich has received no such confirmation.

6. As such, Zurich files the instant response in an abundance of caution and to reserve its rights with respect to Claim 74 and its amendments.

WHEREFORE, for the reasons stated above, Zurich respectfully requests that the Court deny the Motion as moot and grant such other or further relief as the Court may deem just or proper.

Date: July 30, 2024

GELLERT SEITZ BUSENKELL & BROWN, LLC

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